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**SEP 19 2005**

*Attorney's Docket No: cardioheat-1*  
**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of	:	
George McBride, et al	:	
Filed: 03/27/2000	:	EXAMINER: PAUL L. KIM
Title: Medical Testing System and Method	:	Art Unit 2857
Serial No.: 09/535,186	:	

MS Amendment  
Assistant Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT/RESPONSE**

This is in response to the Office action dated April 18, 2005. A petition extending the time for response by two months is filed herewith.

**REMARKS**

Claims 1 and 4 through 20 are in the application.

Claims 2 and 3 were previously cancelled.

Claims 1, 4- 10, and 18-20 stand rejected under 35 U.S.C. 103(a) as unpatentable over Brown (US 5,307, 263) in view of Brown (5,879,163) and Reining.

Claims 11-17 stand rejected under 35 U.S.C. 103(a) as unpatentable "over Brown and Reining in view of Williams et al."

At the outset, it is noted that the rejection of claims 11-17 does not identify which of the two Brown patent references is being utilized as the basis for rejection. Still further, the rejection does not identify how that Reining reference is being applied. Yet further, the "Williams et al" reference is not identified at all.

Since claim 11 depends from claim 1 though claims 8, 9 and 10, it is assumed that the Examiner intended that the rejection be based on as unpatentable over Brown (US 5,307, 263) in view of Brown (5,879,163) and Reining further in view of the unidentified Williams et al reference.